

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ENVIRONMENTAL JUSTICE HEALTH ALLIANCE
FOR CHEMICAL POLICY REFORM; CENTER FOR
COMMUNITY ACTION AND ENVIRONMENTAL
JUSTICE; EAST YARD COMMUNITIES FOR
ENVIRONMENTAL JUSTICE; NEW JERSEY
ENVIRONMENTAL JUSTICE ALLIANCE; TEXAS
ENVIRONMENTAL JUSTICE ADVOCACY
SERVICES; NATURAL RESOURCES DEFENSE
COUNCIL, INC.; NATIONAL AUDUBON SOCIETY;
NEW YORK CIVIL LIBERTIES UNION; and SIERRA
CLUB,

Plaintiffs,

v.

COUNCIL ON ENVIRONMENTAL QUALITY; and
MARY B. NEUMAYR, in her official capacity as
Chairman of the Council on Environmental Quality,

Defendants.

No. 20 Civ. 6143 (CM)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, defendants the Council on Environmental Quality and Mary B. Neumayr, in her official capacity as Chairman of the Council on Environmental Quality (together, “Defendants”), by their attorney, Audrey Strauss, United States Attorney for the Southern District of New York, hereby move this Court for an Order pursuant to Federal Rule of Civil Procedure 12(b)(1) dismissing with prejudice Plaintiffs’ Amended Complaint, and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to prior Orders of the Court (Dkt. Nos. 20, 34, 46, and 50), Intervenor’s papers, if any shall be filed no later than January 22, 2021,

opposition papers, if any, shall be filed on or before March 3, 2021, and reply papers, if any, shall be filed on or before March 24, 2021.

Dated: January 19, 2021
New York, New York

Respectfully submitted,

AUDREY STRAUSS
United States Attorney of the
Southern District of New York

By: /s/ Danielle J. Levine
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